

## UNITED STATES NATIONAL STAGE WORKSHEET (DO/EO)

CHARITTA BURT, PAS

U. S. Application No. 10/ 591 373Publication Date 9.15.05 WIPO no. 2005, 085200PCT/RO/101 \_\_\_\_\_ U.S. Only yes ☒ No ☒International Application PCT/ JP2005 , 004260Publication language: English ☐ German ☐ Japanese ☒ Chinese ☐ Korean ☐French ☐ Spanish ☐ Russian ☐ Other ☐Priority Document Country JP number 2004-62005 date 3.5.04

Country \_\_\_\_\_ number \_\_\_\_\_ date \_\_\_\_\_

More PD's see IA \_\_\_\_\_

Correspondence Customer no. 000210First Inventor city of Residence Tsukuba-shi state/country JP citizenship JPCopy in International Application: ☒ No Translation \_\_\_\_\_ Spec pages 137 claim pages 6 Abstract 1Total Drawing Sheets 0 (figures 0) Foreign text \_\_\_\_\_371 Filing Fees: paid ☒ IPER meets Art.33 (1)-(4) No fees \_\_\_\_\_ insufficient \_\_\_\_\_Total Claims 26 Chargeable 26 Independent 1 multiple \_\_\_\_\_ Original claims replaced by Art.34 \_\_\_\_\_Oath/Declaration: Signed ☒ Unsigned \_\_\_\_\_ Defective \_\_\_\_\_ Date completed 8.31.06

IB 306 filed for changes: \_\_\_\_\_

Power of Attorney \_\_\_\_\_ Small entity \_\_\_\_\_ Documentation: yes \_\_\_\_\_ no \_\_\_\_\_

Biochemical Seq. Diskette: missing \_\_\_\_\_ in file \_\_\_\_\_ error report \_\_\_\_\_ entered date \_\_\_\_\_

Biochemical Seq. listing: missing \_\_\_\_\_ in file \_\_\_\_\_ CRF statement in file \_\_\_\_\_ no statement \_\_\_\_\_

Copy of ISR (210) EP JP SE AU US CN ES RU AT KR other \_\_\_\_\_ references \_\_\_\_\_Copy of IPRE (373/409) EP JP SE AU US CN ES RU AT KR other \_\_\_\_\_ annexes \_\_\_\_\_ not entered \_\_\_\_\_

Article 19 Amendment: entered \_\_\_\_\_ not entered \_\_\_\_\_

Preliminary Amendment dated 8.31.06 2<sup>nd</sup> submission Amendment date \_\_\_\_\_IDS dated 10-10-06 2<sup>nd</sup> submission IDS date \_\_\_\_\_

Request for Immediate Examination \_\_\_\_\_

Substitute Specification Dated \_\_\_\_\_

Assignment \_\_\_\_\_ Info for Publication on ADS \_\_\_\_\_ Extension of Time (months) \_\_\_\_\_

35 USC Receipts of Request 8.31.06 /Date Completion USC 371 Requirements 8.31.06 /

Notice of Missing Requirements (905) \_\_\_\_\_ /

Notice of Defective Response (916) \_\_\_\_\_ /

Notice of Acceptance (903) 5.7.07 /

Notice of Abandonment (909) \_\_\_\_\_ /

Notice regarding CRF Disk (922) \_\_\_\_\_ /

Notes

UPDATED:

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

Application or Docket Number

101 591373

## CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

U.S. NATIONAL STAGE FEES		
BASIC FEE	SMALL ENT. = \$ 150	LARGE ENT. = \$ 300
EXAMINATION FEE	Satisfies PCT Article 33(1)-(4) = \$ 50 / \$ 100	All other situations = \$ 100 / \$ 200
SEARCH FEE	U.S. is ISA = \$ 50 / \$ 100 ALL other countries = \$ 200 / \$ 400	ALL other situations = \$ 250 / \$ 500
FEE FOR EXTRA SPEC. PGS.	minus 100 =	/ 50 =
TOTAL CHARGEABLE CLAIMS	26 minus 20 = *	6
INDEPENDENT CLAIMS	1 minus 3 = *	
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

\* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐

OR

OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	\$150
EXAM. FEE	
SEARCH FEE	
X \$ 125 =	
X \$ 25 =	
X \$ 100 =	
+ \$ 180 =	
TOTAL	

OR

RATE	FEE
BASIC FEE	\$300
EXAM. FEE	260
SEARCH FEE	400
X \$ 250 =	
X \$ 50 =	150
X \$ 200 =	
+ \$ 360 =	
TOTAL	1050

## CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X \$ 25 =	
X \$ 100 =	
+ \$ 180 =	
TOTAL ADDIT. FEE	

OR

RATE	ADDITIONAL FEE
X \$ 50 =	
X \$ 200 =	
+ \$ 360 =	
TOTAL ADDIT. FEE	

(Column 1)

(Column 2)

(Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	*	Minus	**	=
	Independent	*	Minus	***	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDITIONAL FEE
X \$ 25 =	
X \$ 100 =	
+ \$ 180 =	
TOTAL ADDIT. FEE	

OR

RATE	ADDITIONAL FEE
X \$ 50 =	
X \$ 200 =	
+ \$ 360 =	
TOTAL ADDIT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than '20', enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than '3', enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

**MULTIPLE DEPENDENT CLAIM  
FEE CALCULATION SHEET**  
(FOR USE WITH FORM PTO-875)

SERIAL NO.

10/ 591373

FILING DATE

8-31-06

APPLICANT(S)

**CLAIMS**

	AS FILED		AFTER 1 <sup>st</sup> AMENDMENT		AFTER 2 <sup>nd</sup> AMENDMENT	
	IND.	DEP.	IND.	DEP.	IND.	DEP.
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50						
TOTAL IND.		↓		↓		↓
TOTAL DEP.		←		←		←
TOTAL CLAIMS						

	AS FILED		AFTER 1 <sup>st</sup> AMENDMENT		AFTER 2 <sup>nd</sup> AMENDMENT	
	IND.	DEP.	IND.	DEP.	IND.	DEP.
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TOTAL IND.		↓	1	↓		↓
TOTAL DEP.		←	25	←		←
TOTAL CLAIMS			26			

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference K-40Banyu	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No. PCT/JP2005/004260	International filing date ( <i>day/month/year</i> ) 04 March 2005 (04.03.2005)	Priority date ( <i>day/month/year</i> ) 05 March 2004 (05.03.2004)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant BANYU PHARMACEUTICAL CO., LTD.			

- This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
- This REPORT consists of a total of 8 sheets, including this cover sheet.  
  
In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
- This report contains indications relating to the following items:
 

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input checked="" type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/> Box No. VIII	Certain observations on the international application
- The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 338 82 70	Date of issuance of this report 19 September 2006 (19.09.2006)
	Authorized officer  <div style="text-align: right;">Masashi Honda</div> e-mail: pt08@wipo.int

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

**TRANSLATION**  
**PCT**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference

**K-40Banyu**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/JP2005/004260**

International filing date (day/month/year)

**04.03.2005**

Priority date (day/month/year)

**05.03.2004**

International Patent Classification (IPC) or both national classification and IPC

Applicant

**BANYU PHARMACEUTICAL CO., LTD.**

1. This opinion contains indications relating to the following items:

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input type="checkbox"/>            | Box No. II   | Priority   |
| <input checked="" type="checkbox"/> | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application   |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application  |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JIP

Authorized officer

Facsimile No.

Telephone No.